

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

v.

Case No.: 2:19cr-214-FtM-38MRM

RODRIGO MARZARIEGOS-  
BERDUO  
Defendant.

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**ORDER**

Under the Court's Administrative Order, Case No. 8:20-mc-25 ([Doc. 1](#)), which implements the Coronavirus Aid, Relief, and Economic Security Act ("CARES"), the Court may conduct the sentencing hearing by video conferencing with Defendant RODRIGO MARZARIEGOS-BERDUO's consent after he confers with counsel.

Accordingly, it is

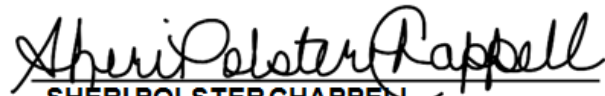
**ORDERED:**

(1) On or before **FRIDAY, APRIL 10, 2020** at **NOON**, counsel for Defendant RODRIGO MARZARIEGOS-BERDUO must file a written notice advising the Court:

- a. whether Defendant, after consulting with defense counsel, consents to proceed with the sentencing hearing by video conferencing and by telephone if video is not reasonably available;
- b. why delaying the sentencing will result in serious harm to the interests of justice; and
- c. the Government's position on a videoconference sentencing hearing.

- (2) If Defendant's counsel advises that Defendant consents to proceed with the hearing by video conferencing, the Clerk is **DIRECTED** to notice the hearing and provide all hearing participants with instructions for joining the hearing.
- (3) The Court will address the specific findings required by the CARES Act at the video conference sentencing hearing.

**DONE and ORDERED** in Fort Myers, Florida on this 7<sup>TH</sup> of **APRIL 2020**.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

Copies: All counsel of record